

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:05CR3104
	)	
v.	)	
	)	
MARIO GOLLIDAY,	)	ORDER ON MOTION TO CONTINUE
	)	
Defendant.	)	
_____	)	

The defendant, by and through his counsel of record, filed a Motion to Continue, filing 14, and a Waiver of Speedy Trial, filing 15. Counsel for the defendant requests that the trial currently set for December 5, 2005, be continued because he is scheduled to defend another defendant at trial in an unrelated case on that date. Counsel have also told the court that they are involved in plea negotiations and both parties have agreed that it would be in the best interest of the defendant would serve the interest of justice to have trial of this matter continued for a reasonable time to allow plea negotiations to continue. I find that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, because counsel need more time to negotiate but, if negotiations are not successful, then counsel need time to prepare for trial taking into account the exercise of due diligence.

IT IS ORDERED that the Motion to Continue, filing 14, is granted; a change-of-plea hearing has been set before the undersigned at 12:15 p.m. on January 9, 2006, in Courtroom No. 4, United States Courthouse, 100 Centennial Mall North, Lincoln, Nebraska. In the event the defendant does not go forward with a change of plea, trial shall commence on January 10, 2006, at 9:00 a.m., with jury selection at commencement. The time intervening between today and January 10, 2006, will be excludable under 128 U.S.C. § 3161(h)(8)(A) and (B)(iv).

Dated November 21, 2005.

BY THE COURT

s/ Warren K. Urbom  
United States Senior District Judge